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**REMARKS**

In sections 2-14 of the Office Action, the Examiner rejects claims 2-7, 10-13, 17 and 18 under 35 USC 103(a) as being unpatentable over Morgan et al. (US Pub. No. 2001/0001876) in view of Hartrick et al. (US Patent No. 5,532,920). These rejections are respectfully traversed.

Morgan et al. and Hartrick et al., standing alone or combined, do not disclose, teach, or suggest the following features recited by claim 2 of the present application:

“a mediator”;

“said key comprising a first portion, a second portion, a third portion, and a fourth portion”;

“the owner provides the source with the first and third portions of the key and provides a mediator with the fourth portion of the key, which can combine with the third portion of the key to generate a complete key”; and

“either:

(d1) the owner provides the source with the second portion of the key and said first portion of the key is combined with said second portion of the key to generate a complete key; or

(d2) the owner does not provide the source with the second key portion, and the third key portion is combined with the fourth key portion to generate a complete key”.

The claimed invention involves a cryptographic method of enabling a consumer to obtain a document from an owner upon making a payment.

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**Three** active parties are involved, i.e., the the consumer, the owner and the **mediator**. The cited references, however, involve (at most) only the consumer and the owner. The references nowhere teach a mediator. For this reason alone, the Applicant believes that the claimed invention is patentable over the cited references.

Morgan et al. discloses a multi-stage login procedure. In the first stage, a login ID and a public key is required. In the second stage, a first split symmetric key and a server authentication string is generated. In addition, the server computer generates a second split symmetric key to obtain a complete symmetric key for encrypting further communications from the server to the client computer. There are many differences between the system in Morgan et al. and the claimed invention, in addition to the mediator as mentioned above.

First, as the Examiner admits, Morgan et al. is not related to the concept of enabling a consumer to obtain a document from an owner upon making a payment. A multi-stage login procedure is a completely different procedure. In Morgan et al., **only one human party** (the client that logs in the account) is involved, wherein there are **three active human parties** (the consumer, the owner, and the mediator) in the claimed invention.

Second, Morgan et al. has two keys (passwords). The first key (the public key) has only one portion. The second key (the key in the second stage) has only two portions (the first split symmetric key provided by the client computer and the second split symmetric key provided by the server computer). Morgan et al. nowhere teaches a key having **four portions**, not

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to mention the complicated relationship between the four portions as defined by claim 1 of the present application. As recited by claim 1, **"the owner provides the source with the first and third portions of the key and provides a mediator with the fourth portion of the key, which can combine with the third portion of the key to generate a complete key"**; and **"either: (d1) the owner provides the source with the second portion of the key and said first portion of the key is combined with said second portion of the key to generate a complete key; or (d2) the owner does not provide the source with the second key portion, and the third key portion is combined with the fourth key portion to generate a complete key"**.

In section 4 of the Office Action, the Examiner simply copies the limitations of claim 2 and asserts that they are taught by Morgan et al. in the abstract and paragraphs 0022, 0023, 0047, 0070, 0087. The Examiner does not specify what parts of Morgan et al. correspond to the mediator or the four portions of the key. Reading through the paragraphs quoted by the Examiner, it is quite obvious that Morgan et al. does not teach or suggest any idea of a mediator or a key having four portions. There is nothing in Morgan et al. that is remotely similar to the relationship between the four portions of the key as recited by claim 2 (as quoted above).

Hartrick et al. discloses a royalty payment program accompanying a softcopy book. When a user enters a command to copy or transmit the book, the royalty payment program intercepts the copying command and present the user with a display of the royalty payment information.

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Again, there is only one active party (the computer user) involved in Hartrick et al. In the claimed invention, however, three active parties (the consumer, the owner and the mediator) have to be involved.

Moreover, Hartrick et al. does not even discuss about a key (password), not to mention a key having four portions, in which the owner provides the source the first and third portion and provides the mediator with the four portion, etc., as recited by claim 1 of the present application.

Furthermore, there is no motivation to combine Morgan et al. and Hartrick et al. A royalty payment program really has nothing to do with a multi-stage login procedure. Even if combined, the references fail to teach three active parties (the owner, the consumer and the mediator) or a key having four portions (with complicated relationship between the four portions).

Under MPEP 2143, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

In the instant case, it is quite clear that neither Morgan et al. nor Hartrick et al. teach all limitations of claim 2 of the present application (as quoted above). In fact, most of the limitations in claim 2 are not taught by

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those two references. In particular, neither Morgan et al. nor Hartrick et al. teach or suggest the essential features in that the key has four portions and that three active parties are involved, as discussed above. Thus, the Applicant respectfully submits that claim 2 should be allowed.

Similarly, claim 7 recites, in part, "a memory for storing a first key portion and a third key portion"; "an element for receiving a second key portion or a fourth key portion"; and "an element for decrypting an encrypted document transmitted thereto in accordance with an encryption key defined by said first and said second key portions or said third and said fourth key portions." Claim 18 recites, in part, "the owner provides a document source with a first and a third portion of the key to the consumer"; "the owner also provides a mediator with the fourth portion of the key, which can combine with the third portion of the key provided to the consumer to generate a complete key"; "the consumer provides the owner with the payment; and either (d1) the owner provides the document source with a second portion of the key, which can combine with said first portion to generate a complete key allowing the document to be printed; or (d2) the owner does not provide the source with the second key portion, and the mediator provides the consumer with third key portion is combined with the fourth key portion to generate a complete key allowing the document to be printed." The Examiner fails to show how these features are taught in Ginter et al. Thus, claims 7 and 18 should also be allowed. Claims 3-6, 10-13 and 17 should be allowed, at least by virtue of their (direct or indirect) dependency from claim 1 or claim 7.

The Applicant has attempted to address all of the issues raised by the

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Examiner in the Office Action as the Applicant understands them. The Applicant believes that the Application is now in condition for allowance. If any point requires further explanation, the Examiner is invited to telephone Troy Cai at (323) 934-2300 or e-mail Troy Cai at tcgai@ladasperry.com.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account No. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

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Enclosed please find a copy of Troy Guangyu Cai's Notice of Limited Recognition under 35 CFR 10.9(b) to prepare and prosecute patent applications wherein the patent applicant is a client of Ladas & Parry, and the attorney of record in the applications is a registered practitioner who is a member of Ladas & Parry.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 17, 2004  
(Date of Deposit)

Troy Guangyu Cai  
(Name of Person Signing)

(Signature)

(Date)

Respectfully submitted,

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**BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE  
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**Expires: May 12, 2005**



Harry I. Moatz

Director of Enrollment and Discipline



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RECEIPT OF: <u>Request for Extension of Time;</u>	<u>May 17, 2004</u>
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